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Dated: 7-5-05

Signature: *Rhea Armid*

(Rhea Armid)

Patent

Docket No. 246152024500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Design Application of:
Luppo EDENS et al.

Serial No.: 10/516,983

Filing Date: (Int'l) June 3, 2003

For: PROTEIN HYDROLYSATE RICH IN
TRIPEPTIDES

Examiner: Not Yet Assigned

Group Art Unit: 1646

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

The document numbers 7, 13, 14, 16, 19, and 20 listed on the attached Form PTO/SB/08a/b were cited in an International Search Report mailed on August 21, 2003, directed to a counterpart international or foreign application and have not been previously cited.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

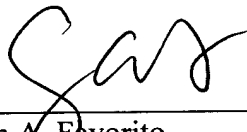
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling;
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 246152024500.

Dated: July 7, 2005

Respectfully submitted,

By 
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/516,983	
			Filing Date	(Int'l) June 3, 2003	
			First Named Inventor	Luppo EDENS	
			Art Unit	1646	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	2	Attorney Docket Number	246152024500

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-5,856,166	01-05-1999	Bartfeld et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	2.	EP-0 321 603	06-28-1989	Soc Prod Nestle SA		
	3.	EP-0 325 986	08-02-1989	Miles Inc.		
	4.	EP-0 522 428	01-13-1993	Hideo Araki		
	5.	EP-0 967 285	12-29-1999	Ciba-Geigy		
	6.	JP-05-015314	01-26-1993	Hideo Araki		
	7.	JP-02-039896	02-08-1990	Ezaki Glyco KK		
	8.	JP-08-308565	11-26-1996	Murao Sawao		
	9.	WO-95/17512	06-29-1995	Daniel Bartfeld		
	10.	WO-96/13174	05-09-1996	Novo Nordisk		
	11.	WO-96/14404	05-17-1996	Novo Nordisk		
	12.	WO-97/00078	01-03-1997	Erika Isolauri		
	13.	WO-98/51803	11-19-1998	Novo Nordisk		
	14.	WO-99/02705	01-21-1999	Soc Prod Nestle SA		
	15.	WO-99/16461	04-08-1999	Calpis Co		
	16.	WO-00/52147	09-08-2000	Univ Georgia		
	17.	WO-01/32905	05-10-2001	Valio Ltd		
	18.	WO-01/68114	09-20-2001	Monsanto Co		
	19.	WO-02/45524	06-13-2002	DSM NV		
	20.	WO-02/68623	09-06-2002	Albermann		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	21.	ASHMARIN et al., Biochemistry (Moscow) (1998) 63(2):119-124		
	22.	BERNEJO and POLANCO, Rev. Neurol. (2002) 34(Suppl. 1):S24-S33		
	23.	DIEFENTHAL and DARGATZ, World Journal of Microbiology & Biotechnology (1995) 11:209-212		
	24.	DORING et al., J. Biol. Chem. (1998) 273:23211-23218		
	25.	GRIMBLE, Annu. Rev. Nutr. (1994) 14:419-447		

Examiner Signature	Date Considered
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sd-261532

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/516,983
				Filing Date	(Int'l) June 3, 2003
				First Named Inventor	Luppo EDENS
				Art Unit	1646
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	246152024500

	26.	International Search Report for PCT/EP03/05876, mailed on August 21, 2003, 3 pages	
	27.	KANATANI et al., J. Biochem. (1993) 113:790-796	
	28.	NIELSEN et al., Journal of Food Science (2001) 66(5):642-646	
	29.	PIHLANTO-LEPPALA, Trends in Food Science & Technology (2001) 11:347-356	
	30.	SHAN et al., Science (2002) 297:2275-2279	

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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